

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

LAWRENCE S. BRODSKY,)	
Individually and as the representative of)	
a class of similarly-situated persons)	
)	
Plaintiff,)	
)	
vs.)	
)	
)	No.: 3:08-cv-50188
HUMANA, INC.,)	
)	
Defendant.)	

REQUEST FOR THE CLERK OF COURT TO REFUND FILING FEE

Defendant, HUMANA, INC. ("Humana"), by its attorneys, William A. Chittenden III, Vittorio F. Terrizzi, and Chittenden, Murday & Novotny LLC, hereby requests the Clerk of Court to Refund a Duplicate Filing Fee. In support of this Request, Humana states as follows:

1. On August 25, 2008, counsel for Humana electronically removed the above referenced matter from state court to the Northern District of Illinois, Western Division. In doing so, counsel inadvertently paid the \$350.00 filing fee twice.
2. First, receipt number 3049208 was received by the Clerk with no complaint and was paid in error. The Agency Tracking I.D. for this erroneous payment of \$350.00 is 07520000000003049208. (See Exhibit A, attached hereto).
3. Second, receipt number 3049360 was received by the Clerk and was assigned case number 08 cv 50188, as intended. The Agency Tracking I.D. for this payment of \$350.00 is 07520000000003049360. (See Exhibit B, attached hereto).

4. WHEREFORE, Humana respectfully requests a refund of \$350.00 for the erroneous transaction with receipt number 3049208. (Agency Tracking I.D. 0752000000000**3049208**).

Respectfully submitted,

HUMANA, INC.

By: /s/Vittorio F. Terrizzi
One of its Attorneys

William A. Chittenden III
Vittorio F. Terrizzi
CHITTENDEN, MURDAY & NOVOTNY LLC
303 West Madison Street, Suite 1400
Chicago, Illinois 60606
(312) 281-3600
(312) 281-3678 (fax)

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CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2008 I caused the foregoing REQUEST FOR THE CLERK OF COURT TO REFUND FILING FEE to be filed and served electronically through CM/ECF upon the following counsel of record:

Brian J. Wanca, Anderson & Wanca:	<u>buslit@andersonwanca.com</u>
Phillip A. Bock, Bock & Hatch, LLC:	<u>phil@bockhatchllc.com</u>
Ryan M. Kelly, Anderson & Wanca:	<u>rkelly@andersonwanca.com</u>

Dated: September 5, 2008.

By: /s/Vittorio F. Terrizzi

Gunn, Rhonda S.

From: paygovadmin@mail.doc.twai.gov
Sent: Monday, August 25, 2008 2:47 PM
To: Gunn, Rhonda S.
Subject: Pay.Gov Payment Confirmation

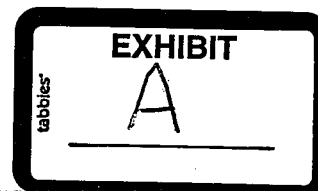
THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT REPLY.

Your transaction has been successfully completed.

Payment Summary

Application Name: ILND CM ECF
Pay.gov Tracking ID: 24UU6IRU
Agency Tracking ID: 07520000000003049208

Account Holder Name: William Chittenden
Transaction Type: Sale
Billing Address: 303 West Madison
Billing Address 2: Suite 1400
City: Chicago
State/Province: IL
Zip/Postal Code: 60606
Country: USA
Card Type: Visa
Card Number: *****1493
Expiration Date: Mar, 2009
Payment Amount: \$350.00
Transaction Date: Aug 25, 2008 3:47:16 PM



Gunn, Rhonda S.

From: paygovadmin@mail.doc.twai.gov
Sent: Monday, August 25, 2008 3:08 PM
To: Gunn, Rhonda S.
Subject: Pay.Gov Payment Confirmation

THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT REPLY.

Your transaction has been successfully completed.

Payment Summary

Application Name: ILND CM ECF
Pay.gov Tracking ID: 24UU6P00
Agency Tracking ID: 07520000000003049360

Account Holder Name: William Chittenden
Transaction Type: Sale
Billing Address: 303 West Madison
Billing Address 2: Suite 1400
City: Chicago
State/Province: IL
Zip/Postal Code: 60606
Country: USA
Card Type: Visa
Card Number: *****1493
Expiration Date: Mar, 2009
Payment Amount: \$350.00
Transaction Date: Aug 25, 2008 4:07:31 PM

